

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
BALTIMORE DIVISION**

JASON ALFORD, *et al.*,

Plaintiffs,

v.

THE NFL PLAYER DISABILITY &
SURVIVOR BENEFIT PLAN, *et al.*,

Defendants.

Case No. 1:23-cv-00358-JRR

DEFENDANTS' JOINT RULE 12(b)(6) MOTION TO DISMISS

Defendants the NFL Player Disability & Survivor Benefit Plan, the NFL Player Disability & Neurocognitive Benefit Plan, the Bert Bell/Pete Rozelle NFL Player Retirement Plan, the Disability Board of the NFL Player Disability & Neurocognitive Benefit Plan, Dennis Curran, Jacob Frank, Belinda Lerner, Sam McCullum, Robert Smith, Jeff Van Note, and Roger Goodell hereby move to dismiss the class action complaint filed by Plaintiffs Jason Alford, Daniel Loper, Willis McGahee, Michael McKenzie, Jamize Olawale, Alex Parsons, Eric Smith, Charles Sims, Joey Thomas, and Lance Zeno on behalf of themselves and all others similarly situated (the "Complaint"). For the reasons stated in the accompanying Memorandum in Support of Defendants' Joint Rule 12(b)(6) Motion to Dismiss, the Complaint should be dismissed in its entirety and with prejudice because Plaintiffs fail to state a claim for any violation of the Employee Retirement Income Security Act ("ERISA").

WHEREFORE, Defendants respectfully request dismissal of the Complaint.

Date: April 21, 2023

s/ Gregory F. Jacob

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Benefit Plan, The Bert Bell/Pete Rozelle
NFL Player Retirement Plan, and The
Disability Board of the NFL Player
Disability & Neurocognitive Benefit Plan*

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Gregory F. Jacob, hereby certify that on April 21, 2023, I caused a copy of the foregoing document to be served upon all counsel of record via the CM/ECF system for the United States District Court for the District of Maryland.

s/ Gregory F. Jacob
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